



United States Department of the Interior

Bureau of Land Management
3170 East Main Street
Cañon City, Colorado 81212



FRONT RANGE RESOURCE ADVISORY COUNCIL MEETING CANON CITY, COLORADO November 14, 2007

MINUTES

ATTENDEES

Group 1

Virginia Patton
Jim Coleman
Gene King
Chuck Rech

Group 2

Donna Murphy
Lucy Bemby
Tom Olson
Frank Yeager
Aaron Clark

Group 3

Francis Matthews
Michael Bush
Loren Whittemore
Doc McKay
Al Trujillo

GUESTS: SeEtta Moss, Arkansas Valley Audubon Society; Doris Morgan, Senator Allard's office; Rob White, Colorado State Parks

BLM/USFS/ PERSONNEL: Roy Masinton, Ken Smith, Cindy Giles, Helen Crow, Carol Dawson, Joe Vieira, John Nahomenuk,

NEW BUSINESS: Ken Smith will retire December 3, 2007. Loren Whittemore declared November 14, 2007 Ken Smith Appreciation day and an unofficial Resolution, signed by all the members, was given to Ken. A statue of a cowboy was presented to Ken as a gift from the Council.

PUBLIC COMMENT: SeEtta Moss with the Canon City Arkansas Valley Audubon Society showed some photos of the Bird and Nature Expo that took place on Nov 10, 2007. BLM, the Colorado Division of Wildlife, Raptor Center and others participated. Roy mentioned how the Volunteer program saves the agency money and helps achieve its goals. Al Trujillo spoke of the BLM's participation with the Teaching Environmental Education Naturally Program and the importance of environmental education.

MANAGERS UPDATE:

Roy Masinton, Royal Gorge Field Manager: **Milsap Gulch Reclamation Project:** The Agencies working on the project sponsored a tour October 11 to show the progress. Since the tour they have finished the earth moving work and provided cover material over the entire site in addition to putting weed free hay and hyromulching the entire site with seed. Next year, a drainage and pond system will be constructed along the edges of the repository to control any water that would move downslope toward the main repository area. There will be between 15 and 25 ponds on each side of the repository. Trout Unlimited is currently planning to prepare a vegetation plan for these drainage

areas with the intent of implementing the plan next summer. The Resolution the Council passed supporting the project was very helpful in acquiring funds for the project.

Uranium Exploration: The Royal Gorge Field Office has become aware of claim staking and exploration activity in the local area over the last few months, primarily as a result of an increase in uranium prices. Claim staking has been occurring on both public lands and additionally on split estate lands where the federal government owns the mineral estate and the surface estate is privately owned.

The law and regulations enable a mining claimant to enter split estate lands for the purpose of claim staking and casual use activities such as walking around with Geiger counters. When operations progress to the point of exploration with a drilling rig, operators obtain a state Division of Reclamation, Mining, and Safety exploration permit which provides mitigation, bonding, etc. In the event that a surface owner would not allow an operator surface access onto split estate lands, the operator would submit the permit application to the BLM for processing. To date no mining proposals have been submitted in this part of the state. Any surface or underground mining operations would be fully evaluated at the appropriate federal, state, and local levels prior to development.

County Road 371: In the early 1990s, a local owner of a private parcel about 12 miles upstream of Buena Vista and just north of the Otero Bridge, gated and blocked public access across his property. This effectively closed public access from Otero Bridge north on County Road 371. Subsequently, at the request of the landowner, the County vacated their rights by written resolution in March 14, 1995. The County's "vacation" did not meet the requirements of State Law, however the USFS and BLM had little luck convincing the landowner or the County to reopen the road. In 2006, the USFS wrote a letter formally requesting that Chaffee County Road 371 be opened to the public. However, the County Commissioners responded that legally they were prevented from rescinding their decision due to a statute of limitations decision (more than 7 years old.) Most recently it was discovered that the original vacation action was not recorded at the Courthouse by the County, hence the vacation "did not happen". This fact provides the landowner legal access via CR 371 and he therefore does not need the right-of-way.

National Landscape Conservation System Act (NLCS): Gene had a concern that this Legislation would be used to "restore" the units to a more natural state by limiting access and excluding legitimate forms of recreation.

Roy explained his understanding that this bill would codify the NLCS. Each NLCS unit is managed uniquely under its particular designating legislation to manage for certain characteristics such as scientific, cultural, recreational and scenic values. HR bill 2016 is not intended to pass anything overarching all the units within the NLCS, but instead is intended to solidify the system administratively.

The bill language indicates that the bill is designed to keep management of units exactly as it has been. Recreational activities, including OHV, mountain biking and the like, would not change because of the Bill. The individual proclamation or legislation establishing the unit will continue to determine which uses should continue. The individuality of these proclamations and legislation derive from the uniqueness of the unit itself. So, there will be a variance in what activities will occur on what units.

Protest of the 3 Peaks proposed timber project. Roy briefly updated the Council on the status of the Protest - the legal notice was issued and a response to the protest issues was sent to the protesters denying their protest. No appeal of the project was received within the 30 days and we are now prepared to proceed with the original decision.

PRESENTATIONS

BLM Noxious Weed Program: Carol Dawson, BLM State Botanist gave a presentation on the BLM weed program in Colorado. She discussed some of the cooperative weed management areas and cooperative agreements BLM is participating in around Colorado. She also discussed BLM's Integrated Weed Management Plan process and the different weed control methods – biological control, insects, sheep, mechanical controls and chemical controls. A data base is currently being created to access all of the information on noxious weed control in BLM.

South Park Land Tenure Plan Amendment, Arkansas River Travel Management Plan and Over the River Proposal Updates: Joe Vieira, BLM RGFO, *South Park* - Since the Council was briefed in July, the Park County Commissioners have been updated on the additional Alternative and their comments were very favorable. It also appeared in the local newspaper and public comments have been very favorable and appreciative of the changes that considered their former concerns. Plans are to complete the Plan Amendment by February, 2008.

Arkansas River Travel Management Plan – After analyzing the public scoping comments, the Field Office interdisciplinary planning team analyzed a range of alternatives in the Environmental Analysis (EA) for the Travel Management Plan (TMP.) On June 20, 2007 the Field Office released the EA and began a public comment period that ended August 3. Public meetings were held June 20 in Salida and June 21 in Canon City. Public and media outreach efforts initiated by signatories of the BLM-Sportsman Roundtable MOU and members of the environmental community generated 700+ written comments both in opposition and support of the proposed action. BLM review of substantive comments, EA revisions, and responses to comments were completed in September, 2007. Finding of No Significant Impact (FONSI) and decision-records have been delayed by internal discussions of parking rule consistency with USFS travel rules and internal BLM deliberation. A combined FONSI of the RMP Amendment for OHV Area Designation and separate but linked route designation, has been drafted for Colorado State Office review and delivery to the Governor for consistency review.

Loren asked the group if they would approve the Travel Management Plan as Joe has currently presented it and wanted to pass a Resolution. Dusty made a motion that the Council accept the position BLM has taken. Jim seconded the motion; Aaron was concerned about lack of discussion of impacts in riparian areas and wanted to table the discussion until the January meeting. Joe stated that BLM responded to these concerns in the last review. Al reminded the RAC that he had previously asked that his recommendation be incorporated in support of BLM's shooting Memorandum of Understanding. Joe assured Al that this would be written in. Roy stated that the only group that did not support this was the NRA. There was further discussion and the Resolution was passed with Aaron abstaining and Donna voting against.

Over the River Proposal – Joe briefly reviewed the proposal and discussed its current status. BLM has invited the outside agencies to participate in the EIS as cooperating agencies to ensure their interests are addressed in the document. These agencies include: Chaffee County, Fremont County, the Colorado Department of Transportation, Colorado State Patrol, and Colorado Department of

Natural Resources representing Colorado State Parks, Colorado Division of Wildlife and the State Land Board. As of November 2007, all agencies had accepted BLM invitation to participate as cooperating agency in the OTR EIS. BLM is presently finalizing the Memorandum of Understanding and incorporating cooperating agency requests for language changes to clarify applicant permitting requirements with CDOT, DNR, Fremont County.

2008 Meetings dates were set:

Tuesday, January 29, 2008

Tuesday, March 25, 2008

Tuesday/ Wednesday, May 20 & 21

Tuesday/Wednesday, July 15 & 16

Tuesday, September 30th

Thursday, November 20th

All 2008 meeting will be in Canon City, except the May meeting will be in the San Luis Valley.

Elections of Officers for 2008:

Virginia Patton motioned to maintain chair Loren Whittemore and vice chair Michael Bush.

Frances Mathews seconded the motion.

Everyone agreed.

Arkansas Headwaters Recreation Area (AHRA): Rob White, Colorado State Parks and John Nahomenuk, BLM. Rob and John gave an overview of the partnership from its beginning in 1990. The AHRA has been one of the most successful partnerships in the Country.

As a result of the meeting running behind schedule, it was decided to postpone watching the “The Wild Horse Redemption” until a future meeting.

The next meeting is November 14, 2007 at The Abbey in Canon City.

The meeting was adjourned.

/s/ Roy Masinton

Roy L. Masinton

Royal Gorge Field Manager

Bureau of Land Management

/s/ Loren Whittemore

Loren R. Whittemore

Chairman

Front Range Resource Advisory Council